



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUL 14 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Dusty Gallagher
Environmental Supervisor
McCain Foods USA Inc. – Burley Facility
218 West Highway 30
Burley, Idaho 83318

Re: McCain Foods USA Inc. – Burley Facility
NPDES Permit Number ID-000061-2

Dear Mr. Gallagher:

On September 23, 2014, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the McCain Foods USA Inc. – Burley Facility ("Facility"), NPDES Permit Number ID-000061-2 ("Permit"). The Permit became effective on November 1, 2014 and will expire on October 31, 2019. The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files, including the Discharge Monitoring Reports (DMRs) submitted by the City, and in response to the inspection of the Facility conducted by EPA on March 8, 2016. The purpose of the inspection was to determine the City's compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

ADMINISTRATIVE FILE REVIEW

During a review of administrative files from May 2011 through June 2016, EPA found nothing that would constitute a violation of CWA, 33 U.S.C. § 1251 *et seq.*

MARCH 2016 INSPECTION

VIOLATION

Part II.A.3 of the Permit states that the Quality Assurance Plan (QAP) must include, in part, "Map(s) indicating the location of each sampling point, and Qualification and training of personnel."

At the time of the inspection, the inspector noted that the Facility last revised its QAP in 2012; however, the Facility had undergone renovations since that time. The Facility did not update the sampling map to include internal outfall 005. In addition, the QAP did not contain the training

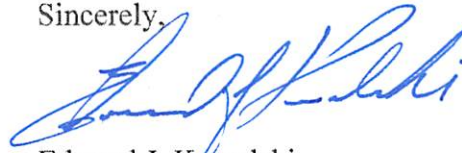
and qualifications of Facility personnel. Failure to maintain a current map of sampling points and record personnel training and qualification in the QAP are violations of Part II.A.3 of the Permit.

On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure A).

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure B). If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc: Mr. Stephen Berry
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